

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Dwight Allen Merriman *et al.*      Art Unit : 3714  
Serial No. : 09/577,798      Examiner : Ronald Laneau  
Filed : May 24, 2000      Conf. No. : 4541  
Title : METHOD OF DELIVERY OF TARGETING, AND MEASURING  
ADVERTISING OVER NETWORKS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION UNDER 37 CFR § 1.47(a)

In response to the Ex Parte Quayle Office Action, mailed June 23, 2011, Applicant submits a Petition Under 37 CFR § 1.47(a) (hereinafter "Petition").

MPEP § 409.03(a) sets forth requirements (A) through (C) that must be met when filing a petition under 37 CFR § 1.47(a). The requirements include (A) an oath or declaration signed by all the available joint inventors on their own behalf and on behalf of the non-signing joint inventor, (B) proof that the non-signing inventor cannot be found or reached after diligent effort, or refuses to execute the application papers, and (C) the last known address of the non-signing inventor. Each of these requirements is addressed below.

(A) Oath or Declaration.

A Combined Declaration and Power of Attorney signed by the available joint inventors is filed herewith. The signature block of the non-signing inventor, Dwight Allen Merriman, is left blank.

(B) Inventor Refuses to Sign or Cannot be Reached.

A Statement of Facts by Nicholas A. Bero, is filed herewith. Nicholas A. Bero, a Patent Attorney with Fish & Richardson P.C., is a person having first-hand knowledge of the facts recited therein.

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Attorney's Docket No.: 16113-1341RE9  
/ GP-1700-03-US-R1

(C) Last Known Addresses of Non-Signing Inventor Dwight Allen Merriman,  
according to Fish & Richardson P.C.'s contact database:

737 Washington Street  
New York, NY 10014

In view of the foregoing, it is submitted that Applicant has met the requirements of 37 CFR § 1.47(a). It is therefore respectfully requested that this Petition be granted and the application be accepted as having completed all requirements for acceptance under 35 U.S.C. § 371.

Please charge to Deposit Account No. 06-1050 the petition fee in the amount of \$200.00 as set forth in 37 CFR §1.17(g), and the extension of time fee of \$1,270.00 as set forth in 37 CFR 1.136(a) for response within the fifth month of the mailing date of the Notice of Missing Requirements. Please apply any other charges or credits to deposit account 06-1050, referencing attorney docket 16113-1341RE9.

Respectfully submitted,

Date: December 23, 2011

/Nicholas A. Bero/

Nicholas A. Bero

Reg. No. 67,946

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